

Appl. No. 10/655,921
Amdt. Dated July 7, 2005
Reply to Office Action dated April 7, 2005

REMARKS

In the non-final Office Action, the U.S. Patent Examiner has indicated that Claim Nos. 1 – 37 and 71 – 75 are pending in the application. Claim Nos. 1 – 28, 71 – 73 and 75 are allowed; Claim Nos. 29, 30, 32, and 74 are rejected; and Claim Nos. 31, and 33 – 37 are objected to. The U.S. Patent Examiner has made no statement concerning either the Specification or the drawings. In response to the Office Action, Applicants have made a number of amendments, including a number of newly drafted claims. In this last regard, newly drafted Claim Nos. 76 – 80 now appear in the application. The Honorable Commissioner for Patents is authorized to Charge Deposit Account No. 502063 for any claim fees that may be now due.

In the Office Action, the U.S. Patent Examiner has indicated that Claim No. 74 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph as set forth in the Office Action. Accordingly Applicants submit herewith amended dependent Claim No. 74. The U.S. Patent Examiner has further indicated that Claim Nos. 31, and 33 – 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicants submit herewith newly drafted Claim Nos. 76 and 77. Newly drafted independent Claim No. 76 comprises the subject matter found in rejected independent Claim No. 29 and objected to dependent Claim No. 31. Newly drafted independent Claim No. 77 comprises the subject matter found in rejected Claim No. 29 and objected to dependent Claim No. 36. With respect to the objections of Claim Nos. 33, 34, 35, and 37, it will be recalled by the U.S. Patent Examiner that Applicants previously submitted Claim Nos. 72

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– 75. As previously stated, independent Claim No. 72 comprises the subject matter found in rejected independent Claim No. 29, rejected dependent Claim No. 32, and objected to dependent Claim No. 33. Dependent Claim No. 73 comprises the subject matter found in objected to dependent Claim No. 34 and dependent Claim No. 74 comprises the subject matter found in objected to dependent Claim No. 35. Claim No. 75 comprises the subject matter found in rejected independent Claim No. 29 and objected to dependent Claim No.

37. The U.S. Patent Examiner has stated that Claim Nos. 71 – 73 and 75 are allowed. Claim No. 74 has been amended and it is now believed that said claim is in condition for allowance. Claim Nos. 31, and 33 – 37 have been canceled.

Applicant has further elected to cancel Claim Nos. 29, 30, and 32. In lieu of these last noted cancellation(s), Applicant submits herewith newly drafted Claim Nos. 78 – 80. Newly drafted independent Claim No. 78 incorporates the subject matter found in canceled independent Claim No. 29 and certain limitation recommendations made by the U.S. Patent Examiner in an effort to more properly claim the subject matter that Applicants regard as their invention. In this regard, Applicants have taken note of the Interview Summary dated April 28, 2005. Applicants confirm that a telephonic Interview was held on April 18, 2005 between U.S. Patent Examiner Andrea M. Valenti and Christopher J. Scott during which Claim No. 29 was discussed as comparable to the subject matter found in U.S. Patent Publication No. 2003/0106262. The nature of the interview was to discuss possible avenues for amending Claim No. 29 in order to more properly claim the subject matter Applicants regard as their invention and to gain the allowance thereof in view of the U.S. Patent Examiner's rejections. In this regard, the sum and substance of the interview summary Continuation Sheet (Form No. PTOL-413)

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as completed by the U.S. Patent Examiner has been reviewed. Applicants confirm that the descriptions presented by the U.S. Patent Examiner are accurate. Newly drafted dependent Claim No. 79 incorporates the subject matter found in canceled dependent Claim No. 30 and newly drafted dependent Claim No. 80 incorporates the subject matter found in canceled dependent Claim No. 32. It is believed that Claim Nos. 78 – 80 are also now in condition for allowance.

With regard to previously withdrawn Claim Nos. 38 – 70, now canceled, Applicants reserve the right to file a Divisional Patent Application incorporating the noted claims under the application provisions of the Rules of Practice.

It is believed that this amended patent application is now in immediate condition for allowance, and such action is kindly requested. If, after a review of this Amendment, issues remain which may be resolved by a telephone interview, the U.S. Patent Examiner is cordially invited to call the Applicants' undersigned attorney.

If attempts to reach the undersigned attorney are not successful, please be advised that Christopher J. Scott, Registration No. 48,647, may also be contacted with regard to this matter. Mr. Scott has been in regular communication with the undersigned regarding the Office Action and this Amendment. Further, Mr. Scott is listed under our Firm's Customer Number with the United States Patent and Trademark Office, namely, Customer Number 30114, and thus may be deemed a proper representative of Applicants.

Respectfully submitted,
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